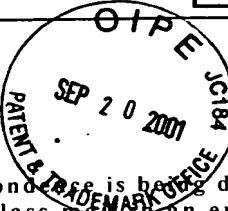


**TRANSMITTAL LETTER TO THE  
UNITED STATES RECEIVING OFFICE**

Date	
International Application No.	PCT/US99/30338
Attorney Docket No.	BB1324 1

PCT

I.  Certificate of Mailing under 37 CFR 1.8



**JC20 Rec'd PCT/PTO SEP 20 2001**

September 17, 2001

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

*Melissa McCullin*

Signature of person mailing correspondence

**MELISSA MCCULLIN**

Type or printed name of person mailing correspondence

II.  New International Application

TITLE

Earliest priority date  
(Day/Month/Year)

**SCREENING DISCLOSURE INFORMATION:** In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A.  The invention was made in the United States.
- B.  There is no prior U.S. application relating to this invention.
- C.  The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority).

Application no.		Filed on	
Application no.		Filed on	

- D.  The present international application  is identical  contains less subject matter than that found in the prior U.S. application(s) identified in paragraph C.
- E.  The present international application  contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The application subject matter is found on pages \_\_\_\_\_ and  DOES NOT ALTER  MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15

A Response to an Invitation from the RO/US. The following documents(s) is (are) enclosed.

III.

- A.  A Request for An Extension of Time to File a Response (Attached)
- B.  A Power of Attorney (General or Regular)
- C.  Replacement pages:

pages		of the request (PCTRO/101)	pages		of the figures
pages		of the description	pages		of the abstract
pages		of the claims			

- D.  Submission of Priority Documents

Priority document		Priority document	
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- E.  Fees as specified on attached Fee Calculation sheet form PCT/RO101 annex

IV. <input type="checkbox"/> A Request for Rectification under PCT 91	<input type="checkbox"/>	A Petition	X	A Sequence Listing Diskette B Sequence Listing 10 pages
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V. <input checked="" type="checkbox"/> Other (please specify): Fee Transmittal Sheet, Form PCT/DO/EO 905 Form PCT/DOEO 920 with Declaration and Power of Attorney, Preliminary Amendment and Response to Notification of Missing Requirements Under 35 U.S.C. 371, and Statement Under 37 CFR 1.821(g) and 1.825(b)
---

The person  
signing this  
form is the:

<input type="checkbox"/> Applicant	THOMAS M. RIZZO
<input checked="" type="checkbox"/> Attorney/Agent (Reg. No. 41,272)	Typed name of signer
<input type="checkbox"/> Common Representative	Signature

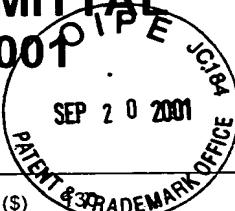
*Thomas M. Rizzo*

Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

Application Number	09/868,547
I. A. Filing Date	20 DEC 1999
First Named Inventor	OMOLAYO O. FAMODU
Examiner Name	PAT BOOKER
Group / Art Unit	UNKNOWN
Attorney Docket No.	BB1324 1 PCT

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																								
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account Number <span style="border: 1px solid black; padding: 2px;">04-1928</span>				<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td>SUBTOTAL (3) (\$ 130.)</td> </tr> <tr> <td colspan="4">09/24/2001 LANDGRA 00000059 041928 09868547 01 FC:154 130.00 CH</td> <td>SUBTOTAL (2) (\$ 0)</td> </tr> <tr> <td colspan="4">**or number previously paid, if greater; For Reissues, see above</td> <td></td> </tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	Surcharge - late filing fee or oath	130.00	127	50	227	Surcharge - late provisional filing fee or cover sheet.		139	130	139	Non-English specification		147	2,520	147	For filing a request for reexamination		112	920*	112	Requesting publication of SIR prior to Examiner action		113	1,840*	113	Requesting publication of SIR after Examiner action		115	110	215	Extension for reply within first month		116	390	216	Extension for reply within second month		117	890	217	Extension for reply within third month		118	1,390	218	Extension for reply within fourth month		128	1,890	228	Extension for reply within fifth month		119	310	219	Notice of Appeal		120	310	220	Filing a brief in support of an appeal		121	270	221	Request for oral hearing		138	1,510	138	Petition to institute a public use proceeding		140	110	240	Petition to revive – unavoidable		141	1,240	241	Petition to revive – unintentional		142	1,240	242	Utility issue fee (or reissue)		143	440	243	Design issue fee		144	600	244	Plant issue fee		122	130	122	Petitions to the Commissioner		123	130	123	Petitions related to provisional applications		126	180	126	Submission of Information Disclosure Stmt		581	40	581	Recording each patent assignment per property (times number of properties)		146	710	246	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	Request for Continued Examination (RCE)		169	900	169	Request for expedited examination of a design application		Other fee (specify) _____					*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 130.)	09/24/2001 LANDGRA 00000059 041928 09868547 01 FC:154 130.00 CH				SUBTOTAL (2) (\$ 0)	**or number previously paid, if greater; 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## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	THOMAS M. RIZZO	Registration No. Attorney/Agent)	41,272	Telephone	302-892-7760
Signature				Date	September 17, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## UNITED STATES PATENT AND TRADEMARK OFFICE

PCT/US99/30338

JUL 25 2001

C. Caron Klecker

Due 2 months

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868547	FAMODU	O BB-1324-1
RECEIVED		
INTERNATIONAL APPLICATION NO. PCT/US99/30338		
I.A. FILING DATE                    PRIORITY DATE 20 DEC 99                        21 DEC 98 20 JUL 2001		
DATE MAILED:		



THOMAS M RIZZO  
 E.I. DU PONT DE NEMOURS AND COMPANY  
 1007 MARKET STREET  
 WILMINGTON, DE 19898

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
  - a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):
    - U.S. Basic National Fee.
    - Copy of the international application.
    - Oath or Declaration of inventors(s).
    - Copy of Article 19 amendments.
    - Priority Document.
    - The International Preliminary Examination Report in English and its Annexes, if any.
    - Translation of Annexes to the International Preliminary Examination Report into English.
2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - U.S. Basic National Fee.
  - Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$\_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice **MUST** be returned with this response.*

Enclosed:  PCT/DO/EO/917                     Notice of Defective Translation  
 PTO-875                               PCT/DO/EO/920

Pat Booker, Paralegal

Telephone: 703-305-3738



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868547	O	BB-1324-1
THOMAS M RIZZO E I DU PONT DE NEMOURS AND COMPANY 1007 MARKET STREET WILMINGTON, DE 19898		INTERNATIONAL APPLICATION NO.
		PCT/US99/30338
		I.A. FILING DATE      PRIORITY DATE
		20 DEC 99      21 DEC 98
		20 JUL 2001 DATE MAILED

FAMOUS  
O P T E  
SEP 20 2001  
PATENT & TRADEMARK OFFICE  
JC18

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant has submitted papers under 35 U.S.C. 371 to enter the national stage in the United States of America. The items indicated below, however, are missing. The period within which to correct the deficiency noted below and avoid abandonment is set forth in the accompanying Notification.

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- The application fails to comply with the requirements of 37 CFR 1.821-1.825.
- This application does not contain, a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable format has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- The paper copy or compact disc of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- Other: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CALL:**

- (703) 308-4216, for Rules interpretation,
- (703) 308-4212, for CRF submission help,
- (703) 287-0200, for PatentIn software help.

Pat Booker, Paralegal

Telephone: 703-305-3738

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

OMOLAYO O. FAMODU



CASE NO.: BB1324 1

APPLICATION NO.: 09/868,547

GROUP ART UNIT: UNKNOWN

INTERNATIONAL FILING DATE: 20 DEC 99 EXAMINER: PAT BOOKER

FOR: FLAVONOID BIOSYNTHETIC ENZYMES

**STATEMENT UNDER 37 CFR 1.821(g) and 1.825(b)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

The submission of the substitute Sequence Listing filed concurrently herewith does not include new matter.

The copy of the substitute Sequence Listing in computer readable form filed concurrently herewith is the same as the paper copy of the substitute Sequence Listing filed concurrently herewith.

Respectfully submitted,

Thomas M. Rizzo, Ph.D.  
Attorney For Applicants  
Registration No. 41,272  
Telephone: 302-892-7760  
Facsimile: 302-892-1026

Dated: September 17, 2001